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DEPARTMENT FOR EAP/MLS; L/EAP

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SUBJECT: GVN Responds on Repatriation Agreement

Ref: (A) State 178608  
(B) Hanoi 1964  
(C) State 124911

1. (SBU) On October 30, Embassy received the GVN's response to the clarifications requested (Ref A) regarding the draft repatriation agreement Post delivered to the MFA on August 2 (Refs B and C). The GVN agrees with the U.S. Department of Homeland Security's interpretation of Article 4, section 1, second paragraph of the draft Agreement on the Readmission of Vietnamese Nationals. The GVN has also requested to receive promptly the final version of the draft in order to conduct final consultations with relevant Vietnamese officials before submission for signature. Full text of the GVN's response is in paragraph 2.

2. (SBU) Begin text of GVN's response:

No. 1097/LS-PL

The Consular Department of the Ministry of Foreign Affairs of the Socialist Republic of Vietnam presents its compliments to the Embassy of the United States of America in Vietnam, and with reference to the latter's diplomatic note No 1242/06 on October 24, 2006, has the honor to inform the following:

-- 1. The Consular Department of the Ministry of Foreign Affairs of Vietnam does agree with the U.S Department of Homeland Security's interpretation of Article 4, section 1, second paragraph of the draft Agreement on the Readmission of Vietnamese Nationals. Pursuant to this reading, the Department of Homeland Security shall certify that all documents submitted to the Government of Vietnam for its consideration are true and correct copies of the official original documents and pertain to the individual whose return has been requested by the U.S. Government. This provision does not impose any additional translation obligations, except those specifically set forth in Article 4, section 1, second paragraph. Nevertheless, the Vietnamese side would also like to highlight that, in compliance with such provision, the U.S. side shall also certify that these translations are translated correctly from the original English documents.

-- 2. The Consular Department of the Ministry of Foreign Affairs would highly appreciate to promptly receive the U.S. side's final version of the draft Agreement in order to conduct final consultation with relevant Vietnamese ministries and agencies before submitting the draft Agreement to the Government for its consideration and authorization of signature.

The Consular Department of the Ministry of Foreign Affairs of the Socialist Republic of Vietnam avails itself of this opportunity to renew to the Embassy of the United States of America in Hanoi the assurances of its highest consideration.

Hanoi, October 30, 2006

End text of response.

MARINE